

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

ERIC K. WILLIAMS, and all those similarly
situated,

CASE NO.: 5:15-cv-01434-MHH

Plaintiffs,

v.

STELLAR RECOVERY, INC.,

Defendant.

**DEFENDANT STELLAR RECOVERY, INC.'S MOTION FOR EXTENSION OF TIME
TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendant STELLAR RECOVERY, INC. ("Stellar") moves this Court to enter an Order granting it an additional 14 days to answer, or otherwise respond to, Plaintiffs' Class Action Complaint. In support of its Motion, Stellar states as follows:

1. Plaintiffs filed this case seeking certification of a nationwide class of individuals who allegedly received phone calls to their cellular telephones from Stellar without consenting to such calls. Plaintiffs seek recovery from Stellar for purported violations of the Telephone Consumer Protection Act ("TCPA").
2. Stellar was served with Plaintiffs' 84 paragraph Complaint on August 26, 2015, and thus its responsive pleading is due to be filed on September 16, 2015.
3. Stellar seeks an extension of time up to, and including, September 30, 2015 to file its answer, or otherwise respond to, Plaintiffs' Class Action Complaint so that it has adequate time to investigate the allegations made therein, and can then draft and file an appropriate responsive pleading.

4. On September 16, 2015, the undersigned counsel contacted counsel for Plaintiffs to seek a brief continuance. Plaintiffs' Counsel indicated he would agree to a two day continuance, however, Defendant is in need of more than two days.

5. Pursuant to Federal Rule of Civil Procedure, an extension may be granted for good cause (FRCP 6). Stellar's request for an additional 14 days is reasonable and appropriate given the length of the Complaint and the complex nature of the allegations raised and the request does not prejudice Plaintiff in any respect.

Defendant Stellar respectfully requests that this Court enter an Order granting it an additional 14 days, up to and including September 30, 2015, to answer or otherwise respond to Plaintiffs' Class Action Complaint.

ASSURANCE LAW GROUP
/s/Alison N. Emery
3731 Hendricks Avenue
Jacksonville, FL 32207
(904) 404-3394
alison@assurancelawgroup.com
Attorney for Defendant Stellar Recovery, Inc.

CERTIFICATE OF SERVICE

I HERBY CERTIFY that a true and correct copy of the foregoing was filed and served on September 15, 2015 via the Court Clerk's CM/ECF system which will provide notice to the following: Wesley L. Phillips, Counsel for Plaintiffs, at wlp@wphillipslaw.com.

/s/Alison Emery
Alison N. Emery, Esquire